

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Shrinath Malur (Reg. 34663) on 12/10/2008.

The application has been amended as follows:

As per **claim 6**:

The remote copy system of claim [4] 1, further comprising:

first and second primary bitmaps provided at the first and second primary subsystems, respectively;

first and second intermediate bitmaps provided at the intermediate subsystem;  
and first and secondary bitmaps provided at the first and second secondary subsystems, respectively,

wherein the first and second primary bitmaps are associated with the first intermediate bitmap and the first and second secondary bitmaps are associated with the second intermediate bitmap,

wherein the bitmaps are used during a resynchronization process to determine and copy only data have been changed suspension of mirroring of a paired volumes.

As per **claim 7**:

The remote copy system of claim [3] 1, wherein the intermediate subsystem including a journal volume to receive the write data from the first and second primary subsystems.

### ***Conclusion***

A. Subject Matter Considered Allowable

Claims 1, 6-9, 11-13, 17-20, 24 and 25 are allowed.

The primary reasons for allowance of claims 1, 19, 24 and 25 in the instant application is the combination with the inclusion in these claims that “a second storage area, wherein the plurality of primary subsystem including a first primary volume provided in a first primary subsystem, and a second primary volume provided in a second primary subsystem, wherein the first and second storage areas are first and second intermediate volume, the first intermediate volume being configured to receive write data from the first primary volume and the second intermediate volume being configured to receive write data from the second primary volume, wherein the first intermediate volume is configured to send the write data received from the first primary volume to a first secondary volume provided in a first secondary subsystem and the second intermediate volume is configured to send the write data received from the second primary volume to a second secondary volume provided in a second secondary subsystem”. The prior art of record neither anticipates nor renders obvious the above

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recited combination. Claims 6-9, 11-13, 17, 18 and 20 are allowed due to their dependency on the allowed claims 1, 19, 24 and 25.

B. Direction of Future Remarks

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jae Un Yu who is normally available from 9:00 A.M. to 5:30 P.M. Monday thru Friday and can be reached at the following telephone number: (571) 272-1133.

If attempts to reach the above noted examiner by telephone are unsuccessful, the Examiner's supervisor, Sanjiv Shah, can be reached at the following telephone number: (571) 272-4098.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jae U Yu/

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Examiner, Art Unit 2185

12/7/2008

/Sanjiv Shah/

Supervisory Patent Examiner, Art Unit 2185